UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
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OFFICE OF
ECOSYSTEMS,
TRIBAL AND PUBLIC
AFFAIRS

July 8, 2013

Mr. Daniel Drais
Federal Transit Administration, Region 10
915 Second Avenue, Suite 3142
Seattle, Washington 98174

Mr. Paul W. Krueger
Washington State Department of Transportation
Ferries Division
2901 Third Avenue, Suite 500
Seattle, Washington 98121-3014

Re: Mukilteo Multi-Modal Project Final Environmental Impact Statement.
(EPA Region 10 Project Number: 06-009-FTA).

Dear Mr. Drais and Mr. Krueger:

The U.S. Environmental Protection Agency has reviewed the Mukilteo Multi-Modal Project Final Environmental Impact Statement. We are submitting comments in accordance with our responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act. We appreciate the response to our Draft EIS comments and the opportunity to learn of more recent project refinements.

Environmental Benefits, Response to Tribes
In light of project site constraints, we appreciate all that FTA and Washington State Ferries are attempting to do to provide environmental benefits with project delivery. For example, although the FEIS states that 10.2 acres of new pollution-generating impervious surface would be created and that no PGIS would be removed (p. 4-155), we commend the willingness to incorporate use of permeable pavement at the east end of the project site if field testing indicates areas suitable for infiltration. Site and operational constraints also affect the ability to mitigate impacts to Tribes. There would be environmental benefit to offsetting hardened shoreline with mitigation, such as a shoreline softening project or reconnection of an isolated pocket estuary to the tidal prism (Skagit River System Cooperative, letter of 3/12/12).

Recommendation: To augment the environmental benefits of the project, we encourage FTA and WSF, in consultation with affected Tribes, to consider how the Tribes' request might be achieved, and/or how other mitigation could contribute to their interests. For example, explore the potential for:

- applying new Seattle sea wall design concepts that contribute to restoring ecological function;
- implementing a local watershed restoration project that would benefit the Tribes' usual and accustomed fishing areas;

- contributing to the City of Mukilteo's effort to daylight Japanese Creek;
- establishing or contributing to an ongoing program to prevent and clean up marine debris/plastics within the project area;
- as part of green building and site design, where suitable, using permeable pavement for the shoreline promenade and incorporating pocket rain gardens as landscaping features near walkways and new terminal buildings, having vegetated roofs and cisterns to avoid exceeding the capacity of the existing enclosed drainage conveyance system leading to the Sound, and incorporating passive and/or active solar design to reduce need for hydroelectric or non-renewable power generation;
- implementing another Tribal supported project off-site in partnership with the City of Mukilteo, NOAA, the Port of Everett, or other entity.

Hazardous Materials, Water Quality, and Aquatic Habitats

We have appreciated the opportunities to review and comment upon the various technical reports pertaining to hazardous materials, sediments, and water quality, and will continue involvement through the Dredged Material Management Program and permitting process as more detailed design and sediment information become available. We note the issue regarding slag material that is suspected to be present in the riprap armoring the shoreline (p. 4-120). In addition to addressing soil contamination that may be present beneath the riprap at the site, any exposed slag, which releases heavy metals, will need to be inventoried and removed or encased.

> *Recommendation:* Contact Dave South at Ecology, the clean-up site manager for the Everett Asarco smelter, regarding shoreline/site assessment and slag removal.

Climate Change Adaptation

We note (p. 4-136) that the Preferred Alternative and Elliot Point 1 Alternative could accommodate sea-level rise by using fill to modify terminal elevation, locating access roads in upland areas, and locating facilities outside the 100-year floodplain. We also agree that other adaptive measures may be needed to address sea-level rise and increased storm intensity.

> *Recommendation:* In the ROD, discuss and commit to developing additional adaptive measures, including those that would address safe ferry landing/docking needs with increased storm intensity.

Thank you for the opportunity to review the Final EIS for the Mukilteo Multimodal Project. We look forward to continued involvement and welcome any further discussion or questions you may have regarding our comments. Please contact me at (206) 553-1601 or via electronic mail at reichgott.christine@epa.gov, or you may contact Elaine Somers of my staff at (206) 553-2966 or via electronic mail at somers.elaine@epa.gov.

Sincerely,

Christine B. Reichgott

Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit